

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
Civil Action No: 3:17-CV-00652

SNYDER’S-LANCE, INC. and PRINCETON
VANGUARD, LLC,

Plaintiffs,

v.

FRITO-LAY NORTH AMERICA, INC.,

Defendant.

JOINT MOTION FOR ENTRY OF
REVISED SUMMARY JUDGMENT
BRIEFING SCHEDULE

Pursuant to Rule 6(b) of the Federal Rules of Civil Procedure, LCvR 7.1, and this Court’s Order Granting Joint Motion for Stay of All Deadlines Regarding Motions for Summary Judgment, Defendant Frito-Lay North America, Inc., and Plaintiffs Snyder’s-Lance, Inc., and Princeton Vanguard, LLC, (collectively, the “Parties”) move this Court for entry of a revised briefing schedule in connection with the motions for summary judgment filed by the Parties. In support of this motion, the Parties show the Court as follows:

1. Defendant filed its Motion for Summary Judgment on August 30, 2018. (Dkt. 28).
2. On October 29, 2018, Plaintiffs filed their response to Defendant’s Motion for Summary Judgment (Dkt. 33) and a Cross-Motion for Summary Judgment. (Dkt. 34).
3. Following receipt of the Cross-Motion for Summary Judgment, Defendant conducted discovery, including document requests. On February 19, 2019, Defendant filed a Motion to Compel Production of Documents in connection with certain of its document requests to Plaintiffs (“Motion to Compel”) (Dkt. 53).
4. On March 1, 2019, the Parties filed a “Joint Motion for Stay of All Briefing Deadlines Regarding Motions for Summary Judgment” (the “Joint Motion for Stay”) (Dkt. 58),

which was granted by the Court. In its Order granting the Joint Motion for Stay (Dkt. 60), the Court directed that should the Court grant Defendant's Motion to Compel, the parties should submit to the Court a revised briefing schedule with respect to the motions for summary judgment within 10 days of such ruling.

5. On March 26, 2019, the Court issued an Order granting Defendant's Motion to Compel (Dkt. 65).

6. On April 5, 2019, the Parties filed a "Joint Motion for Extension of Deadlines for (1) Compliance with the Court's Order on Motion to Compel and (2) Submission of Revised Summary Judgment Briefing Schedule" (Dkt. 66) requesting a deadline of April 24, 2019, to submit a revised summary judgment briefing schedule for the Court's approval pursuant to the Court's Order on the Joint Motion for Stay.

7. The Parties have conferred and propose that Defendant file its reply in support of its Motion for Summary Judgment and its response to Plaintiffs' Motion for Summary Judgment on or before **June 14, 2019**. The Parties propose that Plaintiffs file their Reply in support of their Motion for Summary Judgment on or before **July 26, 2019**.

WHEREFORE, the Parties respectfully request entry of the proposed summary judgment briefing schedule as outlined in this motion.

Respectfully submitted, this the 24th day of April, 2019.

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